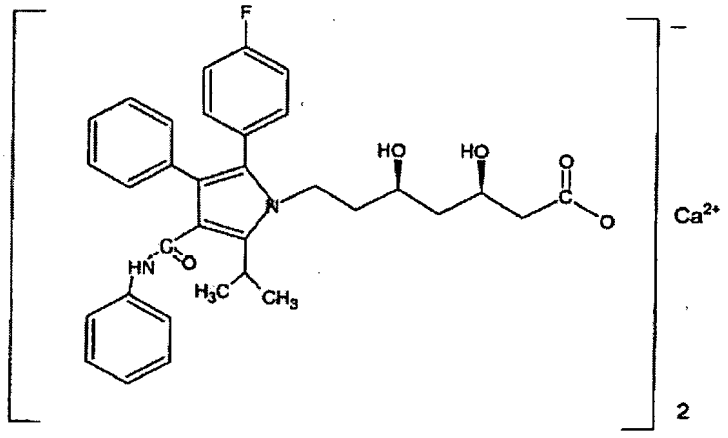
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A crystalline Form VI atorvastatin calcium ~~or hydrates thereof having~~ of formula 1



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and characterized by the X-ray powder diffraction pattern ~~following 2θ values~~ measured using a Shimadzu XRD-6000 with copper K radiation of λ1.5406°A and with a relative intensity of > 15% having 2θ values 3.7365, 7.7200, 8.6985, 10.2185, 12.5933, 17.9103, 18.3600, 19.4031, 20.2800, 20.8200, 22.5122 and 25.5848.

2. (Canceled)

3. (Currently amended) A crystalline Form VI atorvastatin calcium ~~or hydrates thereof~~ of claim 1 ~~having~~ characterized by the ~~following~~ solid state C^{13} nuclear magnetic resonance spectrum (NMR) ~~wherein~~ having chemical ~~shift is~~ shifts in parts per million ~~(PPM).~~

~~δ (ppm)~~
~~21.898~~
~~24.294~~
~~27.767~~
~~29.368~~
~~33.939~~
~~38.275~~
~~42.836~~
~~45.980~~
~~68.932~~
~~71.266~~
~~73.617~~
~~119.357~~
~~122.987~~
~~131.214~~
~~137.515~~
~~162.696~~
~~169.066~~
~~179.540~~
~~186.890~~
~~190.640~~

(PPM) at 21.898, 24.294, 27.767, 29.368, 33.939, 38.275, 42.836, 45.980, 68.932, 71.266, 73.617, 119.357, 122.987, 131.214, 137.515, 162.696, 169.066, 179.540, 186.890 and 190.640.

4-6. (Canceled)

7. (Currently amended) A crystalline Form VI atorvastatin calcium of claim 1 has melting point in the range of 177 to 182°C.

8. (Currently amended) A process for the preparation of crystalline Form VI atorvastatin calcium of claim 1, ~~both hydrate and anhydrous states~~ chemically known as [R-(R*,R*)]-2-(4-fluorophenyl)-beta,delta-dihydroxy-5-(1-methylethyl)-phenyl-4-[(phenylamino)carbonyl]-1H-pyrrole-1-heptanoic acid ~~hemicalcium~~ calcium salt (2:1) ~~having formula as shown in fig. 1 of the drawing accompanying this specification~~ which comprises:

a) dissolving calcium salt of any form of atorvastatin in an organic solvent such as aliphatic ketone preferably at a temperature in the range of ambient to reflux temperature to get clear solution of atorvastatin salt,

b) optionally removing impurities by filtration,

~~a~~ c) adding dematerialized water maintaining the same temperature, and

d) isolating crystallized polymorphic Form VI of atorvastatin calcium and drying~~, if desired,~~ to get required water of crystallization.

9. (Currently amended) A process for the preparation of new polymorphic crystalline Form VI of atorvastatin calcium, chemically known as [R-(R*,R*)]-2-(4-fluorophenyl)-beta,delta-dihydroxy-5-(1-methylethyl)-phenyl-4-[(phenylamino)carbonyl]-1H-pyrrole-1-heptanoic acid calcium salt (2:1) ~~having formula of Fig. 1~~ which comprises:

a) dissolving lactone form of atorvastatin in an organic solvent preferably aliphatic ketone at a temperature in the range of ambient to reflux temperature to get a clear solution,

b) adding an aqueous solution of alkaline earth metal hydroxide or acetate and demineralised water under stirring maintaining the same temperature, and

c) isolating crystallized polymorphic Form VI of atorvastatin calcium and drying~~, if desired,~~ to get required water of crystallization.

10. (Currently amended) A process of claims 8 & 9 wherein the atorvastatin calcium used is amorphous or crystalline ~~Form I, II, III, IV, & V~~ form of atorvastatin calcium or a mixture thereof.

11. (Canceled)

12. (Currently amended) A process ~~of claims 8 & 9~~ as in claim 8 or 9 wherein an organic solvent used is ~~selected from~~ aliphatic ketones having 1 to 3 carbon atoms.

13. (Currently amended) A process of ~~claims 8,~~ claim 9 [[and 12]] wherein an aliphatic ~~ketones used are~~ ketone comprising acetone, methyl ethyl ketone, diethyl ketone, or methyl propyl ketone~~, preferably acetone~~.

14. (Currently amended) A process ~~of claims 8 & 9~~ as in claim 8 or 9 wherein the organic solvent used is 100 times of the starting compound.

15. (Currently amended) A process ~~of claims 8 & 9~~ as in claim 8 or 9 wherein the organic solvent used is 15 times of the starting compound.

16. (Currently amended) A process ~~of claims 8 & 9~~ as in claim 8 or 9 wherein the organic solvent used is 10 times of the starting compound.

17. (Canceled)

18. (Previously presented) A process of claim 9 wherein the alkaline earth metal used is calcium hydroxide.

19. (Currently amended) A process of claim 9 wherein the molar ratio of alkaline earth metal hydroxide ~~added is 50 times preferably 10 times of~~ with respect to the starting compound ~~more preferably in~~ is 1: 1 ratio.

20. (Currently amended) A process ~~of claims 8 & 9~~ as in claim 8 or 9 wherein the cooling is effected ~~slowly~~ at the cooling rate of 2 to 3°C per minute to a temperature in the range of -20°C to 20°C (room temperature) ~~preferably in the range of 15 to 20°C~~ to effect crystallization. ~~The cooling may be effected @ of 2 to 3°C.~~

21. (Canceled)

22. (Currently amended) A process ~~of claims 8 & 9~~ as in claim 8 or 9 wherein the drying is effected by ~~known means like~~ vacuum tray drier, or rotacon vacuum drier, and at a temperature above 50 and below 80^0C~~, preferably at 55^0C for 12 to 30 hours~~.

23. (New) A process as in 8 or 9 wherein the drying is effected by vacuum tray drier, rotacon vacuum drier, at 55^0C for 12 to 30 hours.

24. (New) A process as in 8 or 9 wherein the cooling is effected at the rate of 2 to 3°C per minute to a temperature in the range of 15 to 20°C to effect crystallization.

25. (New) A process of claim 9 wherein the molar ratio of alkaline earth metal hydroxide or acetate with respect to starting compound is 50:1.

26. (New) A process of claim 9 wherein the molar ratio of alkaline earth metal hydroxide or acetate with respect to starting compound is 10:1.